

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:)	
)	
Yale Polishers and Platers)	FINDING OF VIOLATION
Chicago, Illinois)	
)	EPA-5-99-IL-38
)	
Proceedings Pursuant to)	
the Clean Air Act,)	
42 U.S.C. §§ 7401 <u>et seq.</u>)	
)	

Finding of Violation

The United States Environmental Protection Agency (U.S. EPA) hereby notifies the State of Illinois and Yale Polishers and Platers (Yale) that U.S. EPA finds that Yale, located at 5247 South Keeler Avenue, Chicago, Illinois 60632, is in violation of the Clean Air Act (Act), 42 U.S.C. §§ 7401 et seq. Yale is in violation of Section 112 of the Act, 42 U.S.C. § 7412, and regulations setting forth National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Chromium Emissions, at 40 C.F.R. Part 63, Subpart N, as follows:

Regulatory Authority

1. U.S. EPA promulgated the NESHAPs for Chromium Emissions on January 25, 1995 pursuant to its authority under Section 112 of the Clean Air Act, 42 U.S.C. § 7412. The NESHAPs for Chromium Emissions is at 40 C.F.R. § 63.340-347.

2. With limited exceptions, 40 C.F.R. § 63.343(b) requires owners and operators of sources subject to the NESHAPs for Chromium Emissions to conduct an initial performance test as required under 40 C.F.R. § 63.7.

Factual Background

3. Yale owns and operates a metal plating facility located at 5247 South Keeler Avenue, Chicago, Illinois 60632.

4. Yale operates a hexavalent decorative chromium electroplating tank at this facility. This tank is subject to the NESHAPs for Chromium Emissions at 40 C.F.R. § 63.340-347.

5. Yale uses a fume suppressant, which is both a wetting agent and a foam blanket, to control emissions.

6. Yale is subject to 40 C.F.R. § 63.343(b), which requires Yale to demonstrate compliance by either: (1) conducting an initial performance test; or (2) complying with the applicable surface tension requirements set forth at 40 C.F.R. § 63.343(c)(5).

7. Yale has not completed a performance test on their hexavalent decorative chromium electroplating tank. Yale has not performed surface tension readings on their hexavalent decorative chromium electroplating tank.

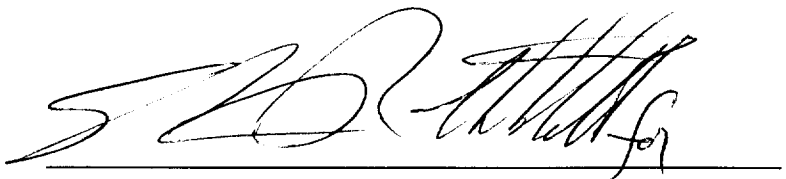
Violations

8. Yale did not perform an initial performance test as required under 40 C.F.R. § 63.7(a) and § 63.343(b)(1), using the test methods listed in 40 C.F.R. § 63.7 and 40 C.F.R. § 63.344. This is a violation of 40 C.F.R. § 63.7(a) and § 63.343(b)(1).

9. Yale has failed to perform surface tension readings of their hexavalent decorative chromium electroplating tank, thus violating 40 C.F.R. § 63.343(b)(2) and § 63.7(a).

10. Yale has failed to establish compliance with 40 C.F.R. § 63.342(d), the standard for hexavalent decorative chromium electroplating tanks.

8/20/99
Date


Margaret M. Guerriero, Acting Director
Air and Radiation Division